HW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,916	11/09/2000	Dragan Sretenovic	1521-190	3667

570   7590   03/15/2005

AKIN GUMP STRAUSS HAUER & FELD L.L.P.
ONE COMMERCE SQUARE
2005 MARKET STREET, SUITE 2200
PHILADELPHIA, PA 19103-7013

EXAMINER
VU, THONG H

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 January 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>10-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>10-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   Claims 1-9 are canceled. Claims 10-26 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 10-26 are rejected under 35 U.S.C. § 103 as being unpatentable over

Nelson et al [Nelson 6,466,974 B1] in view of Perrill et al [Perrill 5,003,472].

3.   As per claim 10, Nelson discloses a method using a computer system for

automatically presenting values of variables from a selected type of device to a user

interface in a human-understandable language, the system including a data engine for

interfacing with a data dictionary (i.e.: database, CD-ROM) <u>containing information for</u>

<u>translating the values of the variables in the native language of the device into the</u>

<u>human-understandable language,</u> and a data agent which is connected to the device

[Nelson, a programming tools , col 2 lines 29-39; automatically set, col 9 lines 42-60; the

class names and attributes, col 7 line 5-col 8 line 65; CD_ROM, col 10 lines 32-49;

translating objects into a protocol or language, col 3 lines 45-60], the method comprising

the steps of:

requesting by the data engine from the data dictionary names of variables

associated with the selected type of device [Nelson, the class names and attributes, col

7 line 5-col 8 line 65];

obtaining, by the data agent, based on the selected type of device values of the

variables [Nelson, filter classes that meet the condition and attributes, col 7 line 64-col 8

line 14];

obtaining, by the data engine, from the data agent, the values obtained by the

data agent [Nelson, filter classes that meet the condition and attributes, col 7 line 64-col

8 line 38];

obtaining from the data dictionary the translating information [Nelson, a

management information server using software agent for translates the attributes

values, col 5 lines 15-49; col 6 lines 8-42];

However Nelson does not explicitly detail translating, by the data engine, the

obtained values into the human-understandable language using the translating

information obtained from the data dictionary;

presenting, by the data engine, to the user interface, the translated values in the

human-understandable language.

A skilled artisan would have motivation to take advantage of the translation

process on Nelson's apparatus and found Perrill teaching. Perrill discloses an electronic

system using a code interpreted by a computer and converted to human language

descriptions and display to the user [Perrill, col 1 lines 32-52].

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to incorporate the technique of network using a code

interpreted by a computer and converted to human language descriptions and display to

the user as taught by Perrill into the Nelson in order to utilize the conversion process.

Doing so would provide a quick, simple and efficiency to management information via Internet.

4.   As per claim 11, Nelson-Perrill disclose automatically communicating with a data central (i.e.: Management Information server) which is external (i.e.: Internet) to the system, for obtaining the names of variables associated with the type of the device and the language of the type of the device when after communicating with the data dictionary the names of the-variables and/or the language of the type of the device are not available from the data dictionary [Nelson, the adaptation can be made, col 5 lines 1-39, in order to facilitate translation of the values into the human-understandable language [Perrill, a code interpreted by a computer and converted to human language descriptions and display to the user, col 1 lines 32-52].

5.   As per claim 12, Nelson-Perrill disclose automatically storing, in the data dictionary, the names of the variables associated with the type of the device and the language of the type of the device obtained from the first data central [Nelson, the class names and attributes, col 7 line 5-col 8 line 65].

6.   As per claims 13,22 contain the similar limitations set forth in claim 10. Therefore claims 13,22 are rejected for the same rationale set forth in claim 10.

7.   As per claim 15, Nelson-Perrill disclose establishing communication between the

data dictionary and the data central is via a hyper-text markup language link as inherent

feature of Internet [Nelson, Internet, col 10 line 63, Fig 15].

As per claim 16, Nelson-Perrill disclose communicating with the data dictionary to obtain

the names of the variables associated with the type of the device [Nelson, the class

names and attributes, col 7 line 5-col 8 line 65].

8.   As per claim 17, Nelson-Perrill disclose establishing communication with the

device to obtain values of the variables associated with the type of the device [Nelson,

the class names and attributes, col 7 line 5-col 8 line 65].

9.   As per claim 18, Nelson-Perrill disclose translating the names and the values of

the variables into a language understandable by a human [Perrill, a code interpreted by

a computer and converted to human language descriptions and display to the user, col

1 lines 32-52].

10.   As per claims 19-21 contain the similar limitations set forth in claims 14-16.

Therefore claims 19-21 are rejected for the same rationale set forth in claims 14-16.

11.   As per claims 23-25 contain the similar limitations set forth in claims 19,15,17

respectively. Therefore claims 23-25 are rejected for the same rationale set forth in

claims 19,15,17.

12.   As per claim 26, Nelson-Perrill disclose the data dictionary and/or the data

central are adapted to provide the names of the variables based upon a selected

variable key [Nelson, the adaptation can be made, col 5 lines 1-14; the class names and

attributes, col 7 line 5-col 8 line 65].

13.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

       USP 6,678,674 B1. Saeki discloses an apparatus provides the retrieval request

translation according to the data dictionary.

       Any inquiry concerning this communication or earlier communications from the
examiner should be directed to examiner Thong Vu, whose telephone number is (571)-
272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-
4:30PM.
       If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, *Jack Harvey*, can be reached at (571) 272-3896. The fax number for the
organization where this application or proceeding is assigned is 703-872-9306
       Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval IPAIRI system. Status information for published
applications may be obtained from either Private PMR or Public PMR. Status
information for unpublished applications is available through Private PAIR only. For
more information about the PAIR system, see http://pair-direct.uspto.gov. Should you
have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142